## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

09/869,534

Confirmation No.: 4675

Applicant(s):

Atkinson et al. August 27, 2001

Art Unit:

2684

Examiner:

Perez, Angelica

Title:

Filed:

PORTABLE DEVICE

Docket No.:

042933/299090

Customer No.: 00826

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated December 19, 2005, rejecting the following Claims 1-16, 20, and 22-24.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

Applicant claims small entity	Status.
-------------------------------	---------

П A check is enclosed.

(\$500.00 for large entity fee or \$250.00 if small entity status)

 $\boxtimes$ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.

 $\boxtimes$ Any additional fee or refund may be charged to our Deposit Account No. 16-0605.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed. П

Respectfully submitted,

Christopher W. McAvoy

Registration No. 57,055

Date: May 19, 2006

Customer No. 00826 **ALSTON & BIRD LLP** 

Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Charlotte Office (704) 444-1000 Fax Charlotte Office (704) 444-1111